

CHARLES DIVILBISS SHOT TO DEATH ON COAST

Former Albuquerquean Killed by His Son-in-Law, who Then Turns Gun on Himself, Wife, too, Dying.

Word has been received here of the killing of Charles Divilbiss, a carpenter, who about a year ago was a resident of this city and well known to a number of Albuquerqueans, in Los Angeles last week. According to the Los Angeles Herald, Divilbiss was shot dead by his son-in-law, Lester Regan, in the presence of his wife and his daughter, Regan's wife, Regan then fired a bullet into his own head, according to the account, and was taken away in a dying condition.

The shooting followed a bitter word quarrel between Divilbiss and his son-in-law, says the Herald account. Regan drew a revolver and fired. Mrs. Divilbiss jumped to her husband's side when the shots were fired. Two of the bullets tore her clothing.

With Mrs. Divilbiss sobbing over the body of her fatally wounded husband, Regan aimed his wife and committed suicide by shooting himself in the head. Regan was a railroad man.

Divilbiss, was 45 years old. His wife conducted a boarding house at 453 South Flower, Los Angeles. Mrs. Regan, in the last stages of consumption, was so affected by the tragedy that she, too, was in a dying condition when the Herald account was printed.

DISCHARGED SOLDIER CHASES EASTERN TRAIN

Three special cars, carrying 100 discharged soldiers, all from the Philippines, were attached to Santa Fe train No. 2 this afternoon. Most of the soldiers piled off here to buy fruit and other comforts. Two of them came within an ace of going under the wheels when they scrambled aboard as the train pulled out, and one of them—a black, unnamed the train altogether. The last seen of him he was running down the track after the eastern express.

COMPLETING DETAILS FOR CANAL OPENING

Washington, July 24.—War department officials today were perfecting plans for the opening of the Panama canal to commerce on August 15. The vessel which would be given the honor of leading a fleet of merchant men through the great waterway had not been determined upon, but it was probable that the Cristobal, a war department steamer, would be selected.

HAWKINS' Weather is cooler. You will relish a square meal. Look over the list, telephone your wants.

Fresh Fruits

Iced Strawberries
Native Blackberries
Fancy Peaches, Apples
and Bananas.
Watermelons.

Vegetables

Fancy Sweet Corn
Green and Wax Beans
Bell Peppers
Okra
Green Chili
Cucumbers
Beets
Turnips
Celery
Young Radishes
Green Onions
Fancy Botavia Asparagus
in cans
Fresh Potato Chips
Mixed, Sweet and Sour
Pickles
Green and Ripe, and
Stuffed Olives
Batavia Special Blend for
Ice Tea.

Corn Fed Beef, Pork and
Mutton
Broilers
Hens
Boiled Ham and Minced
Ham
In the Meat Department

W. L. HAWKINS
109-111 North Second St.
Phones 44 and 524

HABEAS CORPUS TO REUNITE FATHER AND DAUGHTER

Counsel for Arthur McKenzie Prepares to File Petition for Writ in the District Court This Afternoon.

As counsel for Arthur McKenzie of Winslow, Ariz., Senator Isaac Hatch this afternoon prepared a petition for a writ of habeas corpus in an effort to get possession of McKenzie's seven-year-old daughter Ida, who is now in the custody of McKenzie's divorced wife, Gladie Wilson McKenzie. Mrs. McKenzie is staying with her mother, Mrs. E. J. Wilson, of West Haddfield avenue.

As told, McKenzie got a divorce from his wife in Navajo county, Arizona, this summer, and was awarded the custody of the child. He made formal demand for the girl yesterday, but was refused at the home of his former mother-in-law.

The petition will be filed this afternoon. Judge M. C. Mechem will be asked to make the writ returnable before Judge Reynolds August 3. The petition, it is stated, will recite the facts set forth in the complaint and the findings of fact, and will submit that the mother is not competent to have custody of the child because she is subject to immoral impulses. Mrs. McKenzie has retained Judge W. C. Heacock.

ARCHAEOLOGIST TO JOIN CARNEGIE INSTITUTE

Sylvanus G. Morley, one of Most Prominent of Santa Fe School Scientists to Leave for Guatemala.

(Special Dispatch to Evening Herald.)
Santa Fe, N. M., July 24.—It is announced today that Sylvanus G. Morley, one of the most prominent scientific men connected with the American Archaeological institute and prominent in the work of the school here, has resigned to accept a position with the Carnegie institute, Mr. Morley, it is expected, will be assigned at once to take charge of explorations now under way by the Carnegie institution in Central America, chiefly in Guatemala.

New Cattle Company Incorporates.
James Royall, William Royall, Robert Royall and Nina A. Royall, all of Silver City, today filed articles of incorporation for the X-V Cattle company, with capital stock of \$100,000.

MILITIA MAY BE CALLED OUT FOR THE TULSA SITUATION

Tulsa, Okla., July 24.—The request over the bodies of United States Marshal Holmes Davidson and Ed Plank, a deputy, who were shot and killed yesterday by Wm. Baber, who attempted to enter Baber's residence to search it for alleged contraband liquors, was started here today.

Messages were received from Oklahoma City stating that Governor Crouce had received a telegram signed by 152 Tulsa citizens asking state intervention, but that the governor had taken no action.

According to the police, Davidson had in his pocket when killed, a warrant authorizing search of Baber's home for liquors and the federal officer was forty feet from Baber when he was shot down.

Governor Will Investigate.

Oklahoma City, Okla., July 24.—Governor Crouce announced today he would send Adjutant General Stanton to Tulsa to investigate conditions arising out of the killing of United States Marshal Holmes Davidson and Ed Plank, a deputy, by William Baber. Although he received requests from many Tulsa citizens to call out the national guard the governor has not reached a decision on that point.

ALL DRIVERS MUST BE STRICTLY SOBER

Colorado Springs, Colo., July 24.—Colorado Springs is not in the "city" column but persons wishing to work here as tourist carriage or auto drivers must sign the pledge before City Clerk Chapman will grant them a license.

At a meeting of the city council today an ordinance was passed requiring applicants for licenses to state to what extent, if any, liquors are used to win a pledge promising to abstain from liquors while driving.

BLUE-PENCIL FORGERS GET 30 DAYS APIECE

J. A. Hickman and Tom Hickman, the hidebush pair arrested yesterday for trying to cash a check drawn with blue pencil and signed with the name of a dead man, were given thirty days in jail by Police Judge George R. Craig today.

JUDGE MECHAM WILL HOLD COURT TOMORROW

Judge M. C. Mechem, sitting for Judge H. F. Reynolds, will be at the court house tomorrow to consider any matters which attorneys may wish to call up.

ANNE IVES Mascot

By H. M. EGBERT
Illustrations by O. IRWIN MYERS
(Copyright 1913 by W. G. Chapman)

(Continued from Yesterday.)

I heard a shriek of horror from Estelle Christie; I saw the faces of the spectators turned upon me, each, fringed with its mop of hair, exactly reminiscent of some large and very pale turnip. The stewards ran toward me.

"Impossible!" they cried. "We could not think of such a thing."

"Then, Mr. Competitor No. 6, I congratulate you upon gaining the prize," I said satirically, pointing toward the other aeroplane that rose in spiral circles and now hummed overhead like angry bees.

"Rule XXV makes, I believe, no discrimination against my sex," I continued at a venture.

"My dear lady, it is impossible. Rather would I forego the prize," said the unknown, much agitated. "Your courage thrills me and overweighs me with gratitude, but no—a thousand times no. I could never accept your offer."

"Si monsieur ale peur—" I hazarded. It was not such a long shot, either, for the daring aeronaut looked more French than Italian, and, if so, I knew the suggestion that he was afraid would touch him. It did. He colored like a schoolgirl.

"Mademoiselle is also French?" he cried. "Come then, and we shall beat them all. But what am I saying? No, no, it is impossible. I cannot risk your life."

"Monsieur's machine is not, then, absolutely under his control?" I inquired coldly.

He had turned away, the picture of dejection, but as this new blow went home he came forward again, kindled to new ardor. I looked from his face to the faces of the stewards. And just then, as matters hung in the balance, the event was turned decisively by a voice from a back seat among the benches.

"Gorra!" it cried derisively. "Why don'tcher let the lady ride outside?"

The whole of the grand stand was convulsed in laughter. The stewards threw up their hands in despair; then, while the aviator still hesitated, I took him by the arm and almost dragged him toward his machine.

"Courage, monsieur," I said. "We shall win the prize together."

An answering glance of exultation was shot back to me.

"We shall," he cried, and with those words all hesitation and doubt disappeared. "You shall be safe as a little bird. Step up, mademoiselle. Carefully; do not let the oil-drip from the motor soil your dress. So, now—and he flung a furry coat over my shoulders.

"It is cold up there, in the dominions of the sun-god," he said gleefully. "Hold fast to that stay, mademoiselle." He shouted an order to his attendants and leaped in beside me. The motor thrilled; we moved—and just then I heard a second and more piercing shriek from the benches, and turning my head ever so slightly, saw that Estelle Christie had fainted away.

But I had little thought of her, for all my energies were bent upon the task of conquering my fear. We were rising; how far we had risen I did not know until, looking dizzily down, I saw the upturned faces of the spectators.



"We Have Outscored Them All."

apparently almost level with the ground, and the grand stand like a section of slabs laid horizontally upon the turf. Now we were circling the field with long, curving undulating sweeps. Over our heads, at intervals other aeroplanes hummed.

"Five hundred feet, mademoiselle," said a voice in my ear.

I turned toward him. There he sat, his hands upon the levers, calm, imperturbable, self-possessed; and the machine obeyed beautifully each slightest pressure of his fingers.

"We shall win, mademoiselle," he announced calmly. "She behaves better than ever before. Ah, but it takes French hearts to accomplish such deeds as this."

"I am a Canadian," I answered coldly.

"A Canadian!" he muttered, and I saw a look of dejection pass over his face.

please beamed in his gray eyes.

"I knew you must be French," he answered. "Then you can have no fear. No, mademoiselle, I shall take her higher." He pressed the lever and I felt the aeroplane rise upon a drifting gust of air, up, up, till the humming sounded beneath us, and, glancing down, I saw that another aeroplane was fluttering under us like a bird with a broken wing, desperately and fruitlessly endeavoring to win to the higher stratum which we had attained.

Again he pressed the lever, and again we shot upward. Now we were above them all. Under us, from point to point of the field, our opponents struggled and flapped, but never won to that world of silence in which we moved so easily. We seemed to ride upon the air as a swan floats on the water. Far, very far beneath, I could make out the grand stand as a tiny patch of gray upon a field of green, and the spectators were smaller than tiny ants in a hillock. My companion looked at his barometer.

"Three thousand feet," he said; and I saw his teeth chatter.

"You are cold!" I cried, and began to divest myself of the fur coat. "Take this, monsieur," I exclaimed. "You need your strength for the ascent. You must not let your hands grow chilled."

"Sit tight, sit tight, mademoiselle," he answered. "No, I do not need it. Well, then I will take one corner—so."

And he suffered me to throw one edge of the voluminous wrap around his shoulders.

"We have outscored them all," he said. "We shall descend now."

"No, you have a record to make," I answered.

"But we have already won, mademoiselle. Never before has my monoplane ridden so lightly. Assuredly you must be a mascot."

My heart was beating tumultuously. It was a dangerous proximity; and then, too, the unconventionality of the situation had removed the barn of restraint which a hundred generations of women have learned to fasten across their hearts. I am not usually considered susceptible. There was that Mr. Spratt, whom I have mentioned who taught civil and international law, and he had once presumed slightly when riding home with me from the theater. I think he pressed my hand.

Poor Mr. Spratt! I had frozen him with a look and he had had to make abrupt apologies before he found forgiveness. But here I was conscious of a dangerous emotion which took possession of me, and my companion's hand sought mine and was not discarded. We might have been primeval man and woman riding triumphantly alone there through the ether.

The sun, bursting from behind a bank of clouds, shone into our faces.

"These are the realms of the sun-god," said my companion. "And you," he whispered, "are my sun-goddess."

He bent toward me and looked into my eyes. And what would have happened next I do not know. The mortification, after I reached terra firma, overwhelmed me with remorse and shame. But just at that moment the humming of the motor suddenly ceased. It had stopped—and stopped so suddenly that my companion was not prepared for it. The monoplane trembled and swayed dangerously.

Instantly I was forgotten. Afterward I remembered with a little sense of humiliation how wholly secondary I proved in his estimation to that machine. But I had no thought then, save for our safety. With what consummate skill he righted her and guided her, never losing his head, gliding downward swift as a stone; then, with an upward movement of the planes, arresting that perilous descent; now holding the machine tremblingly, as it seemed, upon some air-wave crest! I saw the ground spring up to meet us; the grand stand broadened and widened into its original form and shape; and then more swiftly, the anti-life creatures changed into turn-of-arms once more. I closed my eyes and clung to the stay, expecting every moment to feel the deadly end to our tumultuous descent. And then—

"She has fainted," said somebody. I opened my eyes languidly. I rested upon the ground, supported by the intrepid aviator; and near at hand, wholly uninjured, reposed the monoplane.

Then somebody led Estelle through the yelling crowd, and she was weeping upon my neck.

When at last they suffered me to depart I looked round for my sun-god. He was not to be found. And it was only after I reached home that I remembered that I was wholly ignorant of his name. It was not in the newspapers where he was entered simply as "Aviator No. 6."

CHAPTER III.

The Man in the Buff Boots.
(I met old friends and enemies at the coronation and forgot to look at the king.)

Estelle was half hysterical when she got home to our London boarding-house after my venturesome flight in the monoplane of the unknown aviator. When she revived she began scolding me.

"Mercy, child!" she exclaimed, when we were settled in her room that evening. "It made my blood run cold, to see you up there, a tiny dot in the sky, circling round the grounds. What notoriety, too! And with an unknown man. Who was he? I wonder? How handsome he was! If the reporters had got hold of your name—"

"I thought you told me that you wanted to be thrilled," I observed meekly. The fact was that a realization of my own audacity had been growing upon me ever since the event, and I could not but admit that my scolding was more than justified.

"But with an unknown man," said Agnes. "And a Frenchman, too. You know what sort of reputation Frenchmen have."

(Continued Tomorrow Afternoon.)

Try a Herald Want Ad.

Mid-Summer Shoe Sale

500 Pairs
"Red Cross" and "Queen Quality"
SHOES

On Sale Saturday 9 a. m., July 25th

High Grade Shoes at Lowest Prices

A large assortment of Button Boots of the famous Queen Quality Make. This lot includes black, brown and gray suedes. Dressy patent pony boots with gray, black and white tops. Practical black gun metal calf boots and also tan calf and bronze kid. These shoes are in late, snappy styles and can be had in sizes from 2 to 7½. Values \$4.00 to \$6.00. Special for Saturday, 9 a. m.

\$2.95

"Red Cross" and "Queen Quality"
Women's Shoes

In pumps and Oxfords, all styles, in patent and vici kid, gun metal, tan calf and suede. All sizes. This is a GENUINE SHOE VALUE. Highest class shoes in the greatest variety, \$3.50 to \$5.00 a pair; special for Saturday, 9 a. m.,

\$1.95

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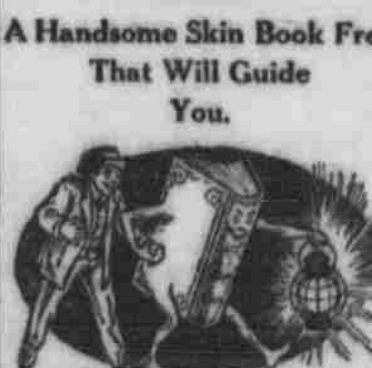
OFFICERS ELECTED FOR THE TORRANCE COUNTY FALL FAIR

Officers of the Torrance County Fair association, which will hold its annual fall fair at Willard in September, immediately preceding the state fair, have been elected as follows: P. L. Rapkovich, president; George Powell, vice president; and R. L. Hill, secretary-treasurer. W. M. Anderson, George Powell and J. A. McKinley were elected directors to fill vacancies, and with the following make up the directorate of the fair association: C. D. Ottem, P. L. Rapkovich, R. L. Hill, Ben Dunlin and A. Stanton. The executive committee consists of P. L. Rapkovich, C. D. Ottem, A. Stanton, Ben Dunlin and J. A. McKinley.

The pick of the products exhibited, it is announced, will be sent to the state fair as a competitor for the big county exhibit cash prize.

How to Get Rid Of Skin Trouble

A Handsome Skin Book Free That Will Guide You.



So many people find in despair over stubborn skin afflictions that some relief laid down in connection with the use of S. & S. for the blood will be of great value. These are outlined in a hand book, nicely illustrated, of the many variations in skin troubles. It tells how to overcome them. If you have been fighting some blood trouble, some skin disease, call it eczema, lupus, psoriasis, malaria, or what you will, ask for any drug store for a bottle of S. & S. and you are then on the road to health. The action of this remarkable remedy is just as direct, just as positive, just as certain in its influence as the sun rises in the East. It is one of those rare remedies that force which act in the blood with the same degree of certainty that is found in all natural remedies. The manner in which it purifies and controls the circulation, transference of rich, red, pure, arterial blood for the diseased venous blood is marvellous.

There is scarcely a community anywhere but what has its fighting case of the wonderful curative effects of S. & S. Get a bottle of this famous remedy today, and if your case is stubborn or peculiar, write to S. & S. Dept., The Swift Specific Co., 225 West Ninth, Atlanta, Ga.

Do not permit anyone to talk you into a substitute for S. & S.

LEGAL NOTICE

Following is the text of amendments proposed to the constitution of New Mexico, which are to be voted on at the coming general election in November:

Joint Resolution No. 12.

Joint Resolution providing for the Amendment of Article VIII, of the Constitution of the State of New Mexico, entitled "Taxation and Revenue." S. Sub. S. J. R. No. 12; Filed March 15, 1913.

Article VIII.

Taxation and Revenue.

Section 1. Taxes levied upon tangible property shall be in proportion to the value thereof, and taxes shall be equal and uniform upon subjects of taxation of the same class.

Sec. 2. Taxes levied upon real or personal property for state revenue shall not exceed four mills annually on each dollar of the assessed valuation thereof except for the support of the educational, penal and charitable institutions of the state, payment of the state debt and interest thereon; and the total annual tax levy upon such property for all state purposes exclusive of necessary levies for the state debt shall not exceed ten mills.

Sec. 3. The property of the United States, the state and all counties, towns and cities and school districts, and other municipal corporations, public libraries, community churches and all laterals thereof, all church property, all property used for educational or charitable purposes, all cemetery not used or held for private or corporate profit, and all lands of the state of New Mexico, and of the counties, municipalities and districts thereof shall be exempt from taxation.

Sec. 4. Any public officer making any profit out of public monies or using the same for any purpose not authorized by law, shall be deemed guilty of a felony, and shall be punished as provided by law, and shall be disqualified to hold public office. All public monies not invested in interest bearing securities shall be deposited in national banks in this state or in banks or trust companies incorporated under the laws of the state and the interest derived therefrom shall be applied in the manner prescribed by law.

Sec. 5. The legislature may exempt from taxation property of each head of a family to the amount of two hundred dollars.

Sec. 6. Lands held in large tracts shall not be assessed for taxation at any lower value per acre than (than) lands of the same character or quality and similarly situated, held in

smaller tracts. The plowing of land shall not be considered an adding value thereto for the purpose of taxation.

Sec. 7. No execution shall issue upon any judgment rendered against the board of county commissioners of any county, or against any incorporated city, town or village, school district or board of education, or against any officer of any county, incorporated city, town or village, school district or board of education, upon any judgment rendered against him in his official capacity and for which the county, incorporated city, town or village, school district or board of education, is liable, but the same shall be paid out of the proceeds of a tax levy on other liabilities of counties, incorporated cities, towns or villages, school districts or boards of education, and when so collected shall be paid by the county treasurer to the judgment creditor.

Proposing an amendment of (1a) section two of article ten of the constitution of the state of New Mexico. (S. Sub. S. J. R. No. 19; Filed March 15, 1913).

Be it Resolved by the Legislature of the State of New Mexico: That Section Two of Article Ten of the Constitution of the State of New Mexico be amended so as to read as follows:

Article X.

Section 2. All county officers shall be elected for a term of two years, and after having served two consecutive terms, shall be ineligible to hold any county office for two years thereafter.

Proposing an amendment of (1c) section one of article five of the constitution of the state of New Mexico. S. J. R. No. 19; Filed March 17, 1913.

Be it Resolved by the Legislature of the State of New Mexico: That Section One of Article Five of the Constitution of the State of New Mexico, be amended so as to read as follows:

Article V.

Section 1. The executive department shall consist of a governor, lieutenant governor, secretary of state, state auditor, state treasurer, attorney general, superintendent of public instruction and commissioner of (or) public lands, who shall be elected for the term of two years beginning on the first day of January next after their election.

Such officers shall, after having served two consecutive terms, be ineligible to hold any state office for two years thereafter.

The officers of the executive department, except the lieutenant governor, shall during their terms of office, reside and keep the public records, books, papers and seals of office at the seat of government.

Phone 1, Red Barn, 311 W. Copper, for first-class hacks and carriages, W. L. Trimble & Co.